

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**SHANRIE CO., INC., DAN SHEILS,
NETEMEYER ENGINEERING
ASSOCIATES, INC., FOREST HILLS, L.P.,
the MARK TWAIN TRUST, PAMELA BAUER,
and BRIAN BAUER,**

Defendant.

No. 07-491-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is Defendants Sharie Co., Inc., Dan Sheils, Netemeyer Engineering Associates, Inc., Forest Hills, L.P., Mark Twain Trust, Pamela Bauer, and Brian Bauer's motion for extension of time (Doc. 145) to file a response to Plaintiff's motion for summary judgment (Doc. 102). Defendants ask for an extension of time up to and including July 10, 2009. This is Defendants' third request for an extension of time (See Docs. 120, 123, & 140). Defendants state that they have diligently been working towards a negotiated settlement with Plaintiff and have submitted a Consent Order regarding the retrofits to the property, but that Plaintiff has conditioned settlement, and/or support of Defendants' seeking an extension of time, on two conditions which Defendants find unacceptable. Defendants further state that since they have been devoting their efforts on developing a Consent Order during their extension of time, they need additional time

to respond to Plaintiff's motion for summary judgment. Based on the reasons in the motion, the Court **GRANTS** Defendants motion for extension of time (Doc. 145). Defendants will have up to and including **July 10, 2009** in which to file a response to Plaintiff's summary judgment motion.

IT IS SO ORDERED.

Signed this 26th day of June, 2009.

/s/ David R. Herndon

Chief Judge
United States District Court